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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,933	04/20/2001	Warren Keith Edwards	D/A1083 (1508/3280)	1180

7590 03/17/2005	EXAMINER
Gunner G. Leinberg, Esq. Nixon Peabody LLP Clinton Square P.O. Box 31051 Rochester, NY 14603-1051	GYORFI, THOMAS A

ART UNIT	PAPER NUMBER
2135	

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	09/838,933	EDWARDS ET AL.
	Examiner	Art Unit	
	Tom Gyorfi	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _04 October 2004_.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-44_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-44_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _11/04/04_.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

1.   Claims 1-44 remain for examination. The correspondence filed 10/04/04

amended claims 1, 12, 23, and 34.

Terminal Disclaimer

2.   The terminal disclaimer filed on 9/30/04 disclaiming the terminal portion of any

patent granted on this application which would extend beyond the expiration date of

U.S. Patent Application Number 10/058,268 has been reviewed and is accepted. The

terminal disclaimer has been recorded. Accordingly, the double-patenting rejections of

claims 1, 12, 23, and 34 have been withdrawn.

Response to Arguments

3.   Applicant's arguments filed 10/04/04 have been fully considered but they are not

persuasive.

Applicant argues, *Neither Kindberg nor Waldo, alone or in combination, disclose or suggest,*

'a second component obtaining one of the one or more universal interfaces associated with the first

component and automatically invoking the at least one of the universal interfaces to communicate with

the first component,' as recited by claim 1, 'automatically invoking at least one of the universal interfaces

to communicate with the first component' as recited in claims 12 and 23, or 'a second source code

segment having instructions for causing the first component to automatically invoke at least one of the

universal interfaces to communicate with the second component' as recited in claim 34. Applicants

respectfully direct the Office's attention to page 9, lines 12-18 under the heading, 'setting options on the

sink' in Kindberg which discloses, 'we have the camera issue a GET to the printer's web server and have

the printer return an XML or HTML form listing the possible options. Once the camera user has selected

the settings, the new settings and the image can be transferred to the printer' Accordingly, in Kindberg a

user must manually select the settings required for proper communication between the camera and

printer. Like Kindberg, Waldo does not teach or suggest the invention as claimed." Examiner

disagrees with this contention. Applicant is respectfully reminded that the cited passage

represents but one embodiment of the disclosed invention, and that there exists other

embodiments in which no direct user interaction is taught (Kindberg, page 8, lines 10-

19). In this passage, a camera communicates to a printer a request to print a picture, in

which the printer automatically invokes an interface (the XML and MIME encoding and

the machine code inherently necessary for processing same: lines 15-16) during the

communication process.

Applicant further argues, *"Kindberg and Waldo, alone or in combination, also do not disclose*

or suggest, 'the first component transfers a data object to the second component, the data object having

instructions and data for accessing the one or more universal interfaces' as recited in claim 3, or

'transferring a data object to a second component, the data object having instructions and data for

enabling the second component to use the one or more universal interfaces' as recited in claims 14, 25

and 36." Examiner disagrees with this contention. In the previously noted embodiment

of the Kindberg disclosure, the data object is encapsulated in a MIME entity, which is

well known in the art as inherently possessing attribute data that allows a [second]

component to use the one or more universal interfaces. Applicant is directed to RFC

1341 (submitted by Applicant as part of the Information Disclosure Statement filed

10/17/01), pages 6-9 regarding the "Content-Type Header Field" for evidence of this

assertion.

Applicant further argues, "*Further, Kindberg and Waldo, alone or in combination, do not disclose or suggest, 'the one or more universal interfaces comprise a data source interface, a data sink interface, an aggregation interface, a mutable aggregation interface, a context interface, a notifcation interface or a user interface" as disclosed in claims 8, 19, 30 and 41. Contrary to the Office's assertions, page 9, lines 12-18 under the heading, 'setting options on the sink' in Kindberg does not suggest or disclose any of the types of universal interfaces claimed. Again, Kindberg only discloses obtaining an XML or HTML form from the printer's web server. Similarly, Waldo does not teach or suggest the invention as claimed.*" Examiner disagrees with this contention. As Applicant argued above, an embodiment of the Kindberg disclosure exists wherein the camera user chooses selections regarding printer settings; the means by which this is accomplished is thus, by definition, a user interface. In addition, in the embodiment cited by the Examiner above, the MIME Content-Type Header field implies the existence of a context interface, as the printer in that example requires this information in order to properly parse the binary data it received from the camera into an appropriate context (e.g. image, audio, video) and process it accordingly (Kindberg, page 8, lines 16-19).

Claim Rejections - 35 USC § 102

4.   The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5.   Claims 1-4, 6-8, 10-15, 17-19, 21-26, 28-30, 32-37, 39-41 and 43-44 are rejected under 35 U.S.C. 102(a) as being anticipated by "A Web-Based Nomadic Computing System", by Kindberg et al, herein referred to as Kindberg. (Please refer to MPEP 707.05(f) referring to Declassified Material.)

Referring to Claims 1, 12, 23:

Kindberg discloses a system for enabling one or more arbitrary components to communicate with each other (page 1, Abstract, lines 1-5), the system comprising: a first component associated with one or more universal interfaces (page 6, Place Managers, lines 6-13); and a second component obtaining one of the one or more universal interfaces associated with the first component and automatically invoking the at least one of the universal interfaces to communicate with the first component (page 9, Setting options on the sink, lines 5-18; page 8, lines 10-19).

Referring to Claim 34:

Kindberg discloses computer data signal embodied in a carrier wave for enabling one or more arbitrary components to communicate with each other, the signal comprising: a first source code segment having instructions for causing a first component to obtain one of one or more universal interfaces associated with a second component (page 9, Setting options on the sink, lines 5-18; page 8, lines 10-19); and a second source code segment having instructions for causing the first component to automatically invoke at least one of the universal interfaces to communicate with the second component (page 9, lines 1-10; page 6, Place Managers, lines 6-13).

Referring to Claim 2, 13, 24 and 35:

Kindberg discloses the limitations of Claims 1, 12, 23 and 34 above. Kindberg

further discloses wherein the first component transfers a data object to the second

component, the data object having the one or more universal interfaces (page 9, Setting

options on the sink, lines 15-18).

Referring to Claims 3, 14, 25 and 36:

Kindberg discloses the limitations of Claims 1, 12, 23 and 34 above. Kindberg

further discloses the first component transfers a data object to the second component,

the data object having instructions and data for accessing the one or more universal

interfaces (page 7, Physical registration: defining a place: lines, 1-5; page 9, Setting

options on the sink, lines 15-18).

Referring to Claims 4, 15, 26 and 37:

Kindberg discloses the limitations of Claims 1, 12, 23 and 34 above. Kindberg

further discloses the second component has instructions and data for accessing a data

object, the data object having the one or more universal interfaces (page 8, Direct

content post: lines 10-19).

Referring to Claims 6, 17, 28 and 39:

Kindberg discloses the limitations of Claims 1, 12, 23 and 34 above. Kindberg

further discloses the second component has instructions and data for using; the one or

more universal interfaces (page 8, Direct content post: lines 10-19).

Referring to Claims 7, 18, 29 and 40:

Kindberg discloses the limitations of Claims 1, 12, 23 and 34 above. Kindberg

further discloses á third component transfers a data object to the second component,

the data object having the one or more universal interfaces associated with the first

component (Fig. 5B; page 8, Indirect content post: lines 8-15).

Referring to Claims 8, 19, 30 and 41:

Kindberg discloses the limitations of Claims 1, 12, 23 and 34 above. Kindberg

further discloses the one or more universal interfaces comprise a data source interface,

a data sink interface, an aggregation interface, a mutable aggregation interface, a

context interface, a notification interface or a user interface (page 9, Setting options on

the sink: lines 10-18).

Referring to Claims 10, 21, 32 and 43:

Kindberg discloses the limitations of Claims 1, 12, 23 and 34 above. Kindberg

further discloses one of the one or more universal interfaces comprise a source-specific

data transfer session having instructions for converting data transferred through the

source-specific data transfer session (page 8, Direct content post: lines 10-19).

Referring to Claims 11, 22, 33 and 44:

Kindberg discloses the limitations of Claims 1, 12, 23 and 34 above. Kindberg

further discloses the one or more arbitrary components comprise a computer system,

device, network service, application, data, memory, file directory or individual file (Fig 2;

page 2, Nomadic computing model: lines 10-12).

Claim Rejections - 35 USC § 103

6.   Claims 5, 9, 16, 20, 27, 31, 38 and 42 are rejected under 35 U.S.C. 103(a) as

being unpatentable over "A Web-Based Nomadic Computing System", by Kindberg et al

(herein referred to as Kindberg), in view of "The JINI Architecture for Network-Centric

Computing", by Jim Waldo (herein referred to as Waldo).

Referring to Claims 5, 16, 27 and 38:

Kindberg discloses the limitations of Claims 1, 12, 23 and 34 above.

Kindberg does not explicitly disclose "the second component interacts with an

operating system environment, the operating system environment having instructions

and data for accessing a data object having the one or more universal interfaces".

Waldo discloses the second component interacts with an operating system

environment the operating system environment having instructions and data for

accessing a data object having the one or more universal interfaces (page 78, A simple set of Conventions: lines 1-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Kindberg such that the second component interacted with an OS environment, when accessing the data objects. One of ordinary skill in the art would have been motivated to do this because it would allow the objects/features already available on to the operating system, to be available to the second client via code mobility (Waldo: page 78-79, Jini and Java: lines 1-10).

Referring to Claims 9, 20, 31 and 42:

Kindberg discloses the limitations of Claims 1, 12, 23 and 34 above. Kindberg discloses providing one or more user interfaces to allow one or more components to be accessed or manipulated, allowing one or more components to provide event notifications or retrieving contextual data associated with the second component (page 4, Content and Physical discovery: lines 5-10;page 8, Context Exchange: lines 1-5).

Kindberg does not explicitly disclose "the one or more universal interfaces comprise object-oriented mobile code having instructions for obtaining, interpreting, viewing or modifying data associated with one or more collections of components."

Waldo discloses the one or more universal interfaces comprise object-oriented mobile code having instructions for obtaining, interpreting, viewing or modifying data associated with one or more collections of components (page 79: Jini and Java: lines 3-20).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Kindberg such that the one or more universal interfaces comprise object-oriented mobile code having instructions for obtaining, interpreting, viewing or modifying data associated with one or more collections of components. One of ordinary skill in the art would have been motivated to do this because it would allow objects/features/forms/interfaces already available on to the operating system, to be available to the second client via code mobility (Waldo: page 78-79, Jini and Java: lines 1-10).

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
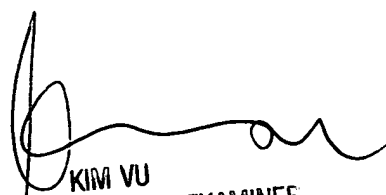
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:00am - 4:30pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TAG
3/11/05

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